# Fairview
# Detailed Area Plan

Recommended by:
Planning Department
City of Halifax
August, 1983.

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# FAIRVIEW DETAILED AREA PLAN

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## INTRODUCTION

The detailed area policy plan that forms Part II (coloured pages) of this report, is recommended by the Planning Department to the Planning Advisory Committee to be put forward for adoption as an amendment to the City of Halifax Municipal Development Plan.

A detailed planning process was undertaken in the Fairview - Dutch Village Road area as required by the Municipal Development Plan Part II, Policy 1.5.2. The process was initiated at a public information meeting November 22, 1982. The Planning Department sought the advice of interested citizens in Fairview throughout the preparation of this Plan proposal. The final revisions to this recommendation to the Planning Advisory Committee were based on public and staff comments and submissions received at a public meeting held on June 21, 1983.

## ACKNOWLEDGEMENTS

City Planning staff wish to acknowledge the substantial and valuable contribution of those citizens who attended the public meetings and displayed an interest and concern for the future of their area. Their help has been invaluable.

The responsibility for the policies and recommendations of this Plan, however, is that of the Planning Department alone, in keeping with its mandate.

Some Fairview residents and businessmen were not in agreement with the City's proposed improvements to Dutch Village Road discussed in Part IV. As part of the detailed area planning process, a subcommittee of citizens was formed to discuss the situation with City staff. This subcommittee is proposing alternative recommendations in regard to transportation and improvements to Dutch Village Road (compare with Part III of this report). Their proposal is submitted in a separate document prepared with the assistance of the Planning Department, in accordance with the MDP Citizen Participation Policy 11.3. In considering their proposal it should be borne in mind that its resolution does not impact directly on the policies of Part II which will become amendments to the municipal planning strategy, but to the advisory recommendations of Part III which do not bind Council's decisions.

## PART I: GENERAL

### GENERAL PLANNING APPROACH

Fairview is the subject of a detailed area planning process primarily because the existing zoning permits more intensive commercial and residential uses than the scale of present land uses. Since 1978, new development has been regulated under Schedule E of the Mainland Zoning Bylaw which stipulates an as-of-right height limit of 35 feet and a limit of 20 dwelling units or 5000 square feet commercial floor area, with provisions for other developments by contract with Council.

In terms of land use, it was necessary to resolve the issue of those areas which are stable and should be protected to ensure that future uses are similar to those that now exist, and those areas that should be permitted to continue in transition, provided future changes are manageable and acceptable within the context of the community's objectives.

Part IV of this report further explains the general planning considerations on which the proposed policies, land use designations and zoning provisions for different parts of the planning area are based.

### CONTEXT FOR POLICIES AND RECOMMENDATIONS

The area plan, Part II of this report, deals with three major areas within the context of the Municipal Development Plan: residential environments, commercial facilities and future land use.

With regard to residential environments, the Municipal Development Plan encourages both growth of the housing stock and stability of existing neighbourhoods. The encouragement of increased residential development is a policy developed from the official City of Halifax report, Land Development Distribution Strategy, which concluded from the examination of a number of factors that residential development should be encouraged in Peninsula Halifax and Mainland North. The built-up Fairview area has limited opportunities to accommodate new residential development, given the present limited capacity of its sewer service infrastructure and the desire to maintain the suburban character of the area. The objective of this Plan is to support the maintenance of stable residential neighbourhoods.

The second major policy area concerns commercial facilities and the intent of the City to encourage their growth in an orderly manner to best serve the residents of Halifax and to reduce negative impacts on residential neighbourhoods. This Plan defines the character and extent of the Dutch Village Road commercial area. The Plan also makes special provisions for residential and commercial uses made non-conforming.

The intentions for future land use in Fairview are shown on a Generalized Future Land Use Map, which forms part of the policy Plan.

Additionally, the Planning Department's recommendations regarding how the transportation policies of the Municipal Development Plan should be implemented in Fairview are included in Part III of this report. In particular, those recommendations deal with the intent of the City to widen and improve Dutch Village Road. During the course of the public consultation program regarding land use issues, the need for and design of the Dutch Village Road improvement project, as proposed in the City's Capital Budget program, was presented. Detailed discussions with Engineering and Works Department representatives and a subcommittee of Fairview residents and businessmen were held. The report recommends that improvements be undertaken and consideration be given to the major concerns of residents.

In other policy areas the general policies of the Municipal Development Plan will apply. No detailed policies or recommendations for the Fairview area have been developed regarding Industries, Institutions, Heritage Resources, Community Facilities, Environment, Environmental Health Services, Municipal Finance and Citizen Participation, because these are adequately dealt with by existing MDP policies.

## ZONING PROVISIONS

New zoning provisions are proposed in Part V of this report, to carry out the intent of the policies in Part II. They take into consideration existing land uses, the policies of Part II, and good planning principles. Subsequent to the adoption of this Plan, appropriate development compatible with existing uses may take place as-of-right or through a process of rezoning to modify the Zoning Bylaw regulations (Part V) to more closely correspond with the Policy Plan (Part II) of this Detailed Area Plan.

## PART II: RECOMMENDED FAIRVIEW DETAILED AREA PLAN

The following objectives and policies are recommended for adoption as a secondary plan in the municipal planning strategy, the City of Halifax Municipal Development Plan, to have the title and effect as stated:

## SECTION VII: FAIRVIEW AREA DETAILED PLAN

### OBJECTIVES AND POLICIES

Context:

The policies of Part II, Section II of the Municipal Development Plan shall apply as appropriate and for greater clarity the objectives and policies of this Section shall also apply. All references to the Planning Act in this Section are to the Nova Scotia Planning Act of 1983.

## Area Definition

The Fairview Area Road Detailed Plan is bounded on the south by Rosedale Avenue, on the west by Hillcrest Street, on the north by Glenforest Park and properties north of Vimy Avenue, and on the east by the Fairview overpass and Joseph Howe Drive to the entrances to the Bicentennial Highway, and includes the west side of Dutch Village Road to Rosedale Avenue, more particularly as shown on Map 1.

## 1. Residential Environments

OBJECTIVE 1: Maintain and enhance the residential environment of Fairview while allowing for growth and change in designated areas.

Policy 1.1 "Residential Environments" may comprise two categories:

(a) low-density residential; and
(b) medium-density residential.

Policy 1.2 In areas shown as low-density residential on the Generalized Future Land Use Map (Map 1) the City shall permit buildings with a maximum of two dwelling units and buildings containing appropriate community facilities.

Policy 1.3 In areas shown as medium-density residential on the Generalized Future Land Use Map (Map 1) it is the City's intention to maintain the existing low-rise character of the area and to permit limited redevelopment pursuant to Policy 1.3.1.

Policy 1.3.1 In medium-density residential areas, the City shall permit a maximum of four units per building, and may permit limited new development in excess of four units per building, in the following forms, through rezoning:

(a) townhousing;
(b) small-scale infill development;
(c) such other uses as may be appropriate in medium-density residential areas.

When considering applications for rezoning, the City shall have regard for Implementation Policy Set 4, in particular Policy 4.2 in regard to the capacity of municipal services.

Policy 1.3.2 The land use bylaw shall include appropriate zones to implement Policy 1.3.1.

Policy 1.4 Under the authority of Section 87(1) of the Planning Act, the land use bylaw shall permit a residential apartment building within the area governed by this Plan, existing on the date of adoption of this Plan, if destroyed by fire or otherwise, to be reconstructed to its original size and density or some lesser dimension.

Policy 1.5 For all lots larger than one acre within the area governed by this Plan, Council may approve any medium density residential development not otherwise permitted by the land use bylaw under the contract development provisions, Section 55 of the Planning Act. In considering any such contract, Council shall have regard for:

(a) compatibility with the surrounding neighbourhood in regard to scale, density and height;
(b) the adequacy of municipal services;
(c) the general provisions of the land use bylaw (City of Halifax Zoning Bylaw-Mainland Area, General Provisions, Section 7);
(d) the preservation of mature trees wherever possible;

For any development adjacent to Glenforest Park:

(e) public access to Glenforest Park should be provided by road or a pedestrian walkway from Main Avenue;
(f) public open space should be deeded to the City as part of any redevelopment and should be complimentary to Glenforest Park and the access provided for in (e) above.

Policy 1.6 Notwithstanding the Residential Designation, the commercial uses on the east side of Percy Street may be permitted to develop in conformance with Policy 2.3.

## 2. Commercial Facilities

OBJECTIVE 2: Encourage the continued development of the Dutch Village Road area as a Minor Commercial centre, compatible with the surrounding neighbourhood.

Policy 2.1 Within areas designated "Residential" on the Generalized Future Land Use Map (Map 2) the City shall permit two categories of commercial uses:

(a) individual neighbourhood convenience stores, and
(b) clusters of local businesses.

Policy 2.1.1 Pursuant to Policy 2.1, the land use bylaw shall provide two zoning categories, as follows:

(a) Neighbourhood Commercial zone to allow small convenience grocery and drug stores to cater to walk-in trade in residential areas;
(b) Local Commercial zone to allow retail and personal service stores and offices, intended to meet the daily needs of immediate residential neighbourhoods.

Policy 2.1.2 Existing convenience stores in residential areas shall be zoned "Neighbourhood Commercial", and the commercial uses on the west side of Titus at Main shall be zoned "Local Commercial".

Policy 2.2 The Dutch Village Road Commercial area is recognized as a "Minor Commercial centre" within the meaning of Part II, Section II, Policy 2.1.2 of the Municipal Development Plan." The City shall encourage its development within the limits set out in this Plan.

Policy 2.2.1 Minor commercial uses should be concentrated along Dutch Village Road, between Bayers Road and Alma Crescent, and shall be permitted only in areas designated "Minor Commercial" on the Future Land Use Map (Map 2) of this Plan. The area designated "Minor Commercial" along Dutch Village Road and Titus Street is intended to provide limited expansion capability of the minor commercial uses through the process of rezoning outlined in Policy 2.2.2.

Policy 2.2.2 Notwithstanding the commercial designation, non-commercial properties adjacent to areas designated residential shall be zoned to reflect their present use. The City may consider applications for rezoning of such properties to commercial use provided that the land to be rezoned is adjacent to a property zoned commercial.

Policy 2.2.3 Further to Policies 2.2.1 and 2.2.2, the land use bylaw shall include provisions in the Minor Commercial Zone to protect the adjacent residential area from the impact of commercial uses by limiting the location of pedestrian and vehicular access to stores and parking areas, and by requiring adequate on-site parking and buffering of visual and noise intrusions.

Policy 2.3 Any existing non-conforming commercial uses may be considered for contract development agreement by Council under the authority of Section 55(1) of the Planning Act, where such agreement would result in: improvements to the building, the site, or the use as it relates to the surrounding neighbourhood; or if destroyed, in the reconstruction of the building not to exceed its dimensions at the time of destruction, provided that:

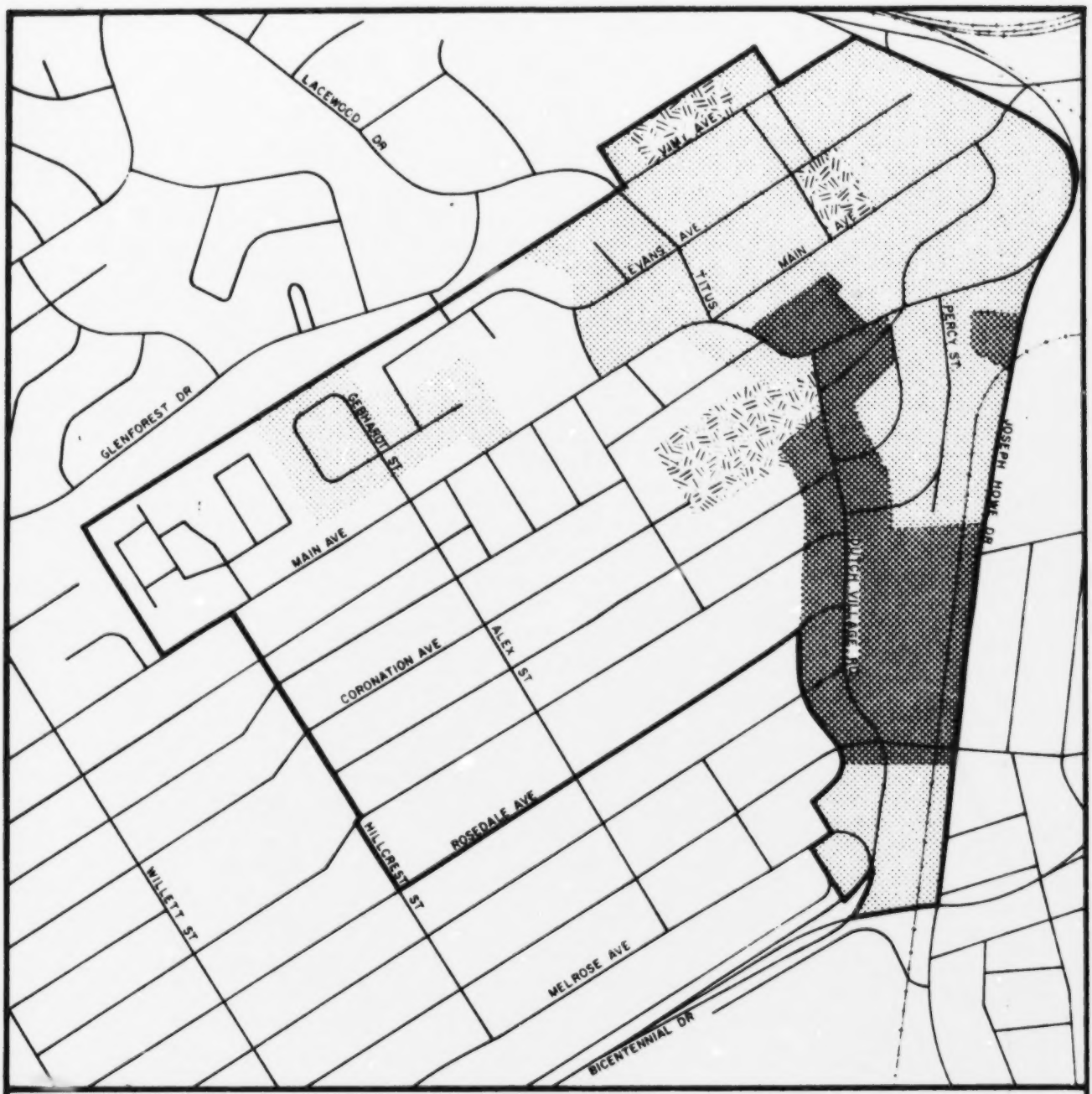
(a) the use was a legally established use on the date of adoption of this Plan;
(b) the capacity of the existing municipal services are not adversely affected;
(c) all provisions of the Minor Commercial zone, other than use, are met;
(d) the proposed use is more compatible with the land use designation than the existing use in respect to traffic generation, safety, noise and air pollution.

Policy 2.3.1 In accordance with Sections 55(2), 57 and 87(2) of the Planning Act, the land use bylaw shall identify the properties considered by Policy 2.3, and shall give the conditions which Council shall require in considering any application for a contract agreement.

## 3. Generalized Future Land Use Map

Policy 3.1 The Generalized Future Land Use Map (Map 2) shall be considered as the expression of intent of the City of Halifax for a future land use pattern for Fairview based on the policies outlined in this Plan and supersedes any designations in the same area by Section II, Map 9.

Policy 3.2 The areas of future land use shown on the Generalized Future Land Use Map shall be determined primarily by the objectives and policies that correspond to the primary use shown. All other objectives and policies shall apply as appropriate, but shall be subordinate to the primary objectives and policies.




Fairview Detailed Area Plan

Map 2

## Proposed Generalized Future Land Use

- Low density residential
- Medium density residential
- Minor commercial
- Community facilities

Feet

0 500

Planning Department
City of Halifax

## PART III: RECOMMENDED PROGRAMS AND PROCEDURES

The following recommendations are consistent with the policies recommended in Part II and are intended to address problems, issues, or opportunities that were noted during the preparation of the Plan. The adoption of these recommendations by Council will serve as an instruction to appropriate staff to act upon them.

Recommendation 1 In recognition of Dutch Village Road as an important Collector Street which serves the minor commercial area, all of Fairview and adjacent neighbourhoods, the City should undertake road improvements in order to provide adequate mobility, access and pedestrian safety to meet existing and future requirements.

Recommendation 2 Pursuant to Recommendation 1, the City should consider the following in planning improvements to Dutch Village Road:

(i) alternatives to encourage through traffic to use the Principal Street Network as designated on Map 8 of the Municipal Development Plan;

(ii) the role of Dutch Village Road as a Collector Street and not a Principle Street, and means to facilitate turns onto local streets;

(iii) the enhancement of Dutch Village Road as a minor-commercial centre by the provision of sidewalks, raised planters, parking facilities and other pedestrian amenities in conjunction with any road improvement;

(iv) provisions to ensure adequate pedestrian safety, particularly for senior residents and students crossing Dutch Village Road.

Recommendation 2.1 In conjunction with any improvement of Dutch Village Road, the City should plan the location of curb cuts in consultation with abutting property owners collectively, with the aim of providing as much parking space as possible, and of limiting turning movements, access points and difficulties of pedestrian circulation.

Recommendation 2.1.1 In the road design study for the Dutch Village Road-Alma Crescent area, the City should continue to give careful consideration to the provision of adequate access to abutting properties.

Recommendation 3 In accordance with MDP policies 8.3 and 8.4, the City should consider the incorporation of design elements and traffic controls to discourage the use of local streets by through traffic and to ensure adequate pedestrian safety.

Recommendation 4 Recommendations 2(i) and (ii) and 3 above should be considered in regard to any future road improvement of Main Avenue.

Recommendation 5 The City should continue with its program of sewer, street, sidewalk and traffic improvements in the Fairview area and should consider as priority improvements:

(i) Definition of traffic lanes, curblines and crosswalks along and across Dutch Village Road, by means of lane markings and other vehicular and pedestrian control devices as an interim measure prior to major improvements of Dutch Village Road;

(ii) Discouragement of through traffic on: (a) Deal Street; (b) Percy - Andrew Streets (particularly truck traffic); and (c) Evans Avenue between Glenforest Drive and Titus Street (particularly rush hour commutors);

(iii) Provision of a sidewalk along Vimy Avenue; and

(iv) Sidewalks on streets used as bus routes.

Recommendation 6 The City should request the Nova Scotia Power Corporation to improve the appearance of the Deal Street substation with new landscaping and fencing, in keeping with the City's intent to enchance the residential character of the area.

Recommendation 7 The City should consider the acquisition of an easement, and improvements to the pedestrian route from the south end of Percy Street leading to the crosswalk on Joseph Howe Drive.

## PART IV: ANALYSIS OF POLICY RECOMMENDATIONS

Three main factors were weighed in considering the best policies to guide future development in the Fairview area:

(1) the character of existing development within the context of existing land use controls;

(2) the demand for growth and changes - now and in the future; and

(3) the capacity of the environment and the municipal services in the various areas to accommodate growth.

Generally, residents of Fairview wanted the residential areas to be protected and to remain basically the same as they are at present. There is a mix of housing types in the planning area: single-family homes still predominate south of Main Avenue, while many small apartment buildings have been built in the last 20 years, particularly north of Main Avenue. Municipal sewer facilities are now used to full capacity and cannot accommodate much further growth of residential units without major capital investments by the City.

In keeping with the character of the planning area, the Plan designates most of Fairview as low-density residential, and the zoning allows single-family homes, semi-detached and duplex houses, and houses with basement apartments. In those areas where tri-plexes and small apartment buildings or a mix of housing types predominate, the designation is medium-density residential. Two zoning categories provide flexibility to allow some infill development through a process of rezoning.

Because the Plan reduces permitted density levels throughout the residential area, most existing high density buildings will become non-conforming uses. This restricts as-of-right redevelopment and expansion, and to overcome these difficulties, these buildings will be allowed to rebuild to the same size if destroyed by fire or otherwise. Only in the commercial areas along Dutch Village Road and Titus Street (where some capacity in the main sewer lines is available), will high-density residential development be permitted.

The Commercial area is presently somewhat thinly spread out. The commercial uses need both to be concentrated in defined areas and allowed some room to redevelop in the future within those limits. Although there is room for new enterprises and conversions of residential uses, efficient use of land and provision of parking is restricted by shallow lot depths, particularly on the west side of Dutch Village Road.

The Plan identifies three intensity levels of commercial use: Neighbourhood Commercial (convenience groceries) on the residential streets; Local Commercial (permitting a variety of retail and service stores) to serve mainly walk-in trade from the surrounding neighbourhoods; and Minor Commercial (allowing a greater variety of stores and services including restaurants, garages, and cinemas to cater to a wider clientele. More intensive Major Commercial uses are generally not considered appropriate.

In several locations, there are land use conflicts where major commercial uses are located in predominantly residential areas. These have either been left as non-conforming uses with the intention that they will disappear over time, or special provisions have been made to allow reconstruction of the commercial use while minimizing the impact of future changes on the surrounding residential area.

## Discussion of Policies by Area

Area bounded by Main, Dutch Village Road, Hillcrest and Rosedale: Although the area is predominatly single-detached dwellings, about 20 percent of the buildings are duplexes or have more than two apartments. The residents would prefer some flexibility to convert single-family dwellings for "an added apartment for relatives", but did not want development of three or four apartment "income properties". Planning staff agree that a two-unit maximum is appropriate here. The present R-2 General Residential Zone for the Mainland permits a maximum of two apartments per building and the areas both to the west and south are zoned R-2.

There are several convenience grocery-type commercial uses in the residential area, as well as two auto body shops, a barber shop, a sign company and an electrical contractor. Only two of the stores are located at street corners, as recommended in the Municipal Development Plan for Neighbourhood Commercial uses. The other commercial enterprises were originally "home occupations" that have grown beyond the limits allowed by the zoning, and are not appropriate in the residential area. It is recommended that only convenience stores be permitted in the future. A new commercial zone to limit both permitted uses and sizes of buildings is required. The Neighbourhood Commercial Zone recommended will allow only grocery and drug stores and residential uses up to four units per building.

The bowling alley on Coronation Avenue is a legally established commercial use in the residential area, which, because of its similarity to an institutional recreation centre, and unique location adjacent to the high school, may be considered acceptable. If the commercial zoning were to be left in place, however, the site could be redeveloped for other commercial uses, or used for high-density residential construction, generating increased traffic through the low-density neighbourhood. The Plan thus allows for rebuilding of the bowling alley, but makes it a non-conforming use (the land use designation and zoning are residential).

Beyond the area designated "Minor Commercial" along Dutch Village Road (i.e. north of the High School and south of Bayers Road) properties fronting on Dutch Village Road are designated medium-density residential, both to define the recommended limits for commercial expansion and to allow some flexibility for redevelopment of the single-family dwellings that remain here. Except for the motel between Melrose and the Bi-Centennial Highway, the small commercial uses on the southern end are considered "home occupations". Provision is made for rebuilding of the motel in case of fire, but the non-conforming use status proposed will preclude expansion in this predominantly residential area.

Areas north of Main and Dutch Village Road: In this area there is a much greater mix of building types with small apartment buildings ranging in size from 3 to 15 units predominating. To the east of Titus apartment buildings of recent vintage sit beside older single-family homes. In general, residents have no objection to the new apartment buidings or the present mixture of building tyeps, but they did not want to see density or building heights increase. The intent is to protect the present character of the neighbourhoods and limit the impact of further change, while also maintaining property values.

The convenience of the location near the Peninsula and bus routes, views over Bedford Basin and other natural amenities are likely to maintain some demand for redevelopment. However, the sewers are alread overtaxed in certain locations, requiring strict control over the pace and extent of further redevelopment. The City has a Capital Budget program to rebuild the main sewers, and this will alleviate the situation in the future.

South of Bert's Drive: The recommended designation is medium-density residential overall, with a maximum of four units per building to be allowed by the zoning, thus providing some flexibility for conversions or redevelopment in a predominantly rental neighbourhood. In order to provide an appropriate zoning category for the many small apartment buildings, and to allow additional scope for redevelopment where municipal services will permit, a more intensive medium-density zone is also recommended

North of Bert's Drive, the land use designation is low-density for the single-family area along Evans Avenue and for the large undeveloped lots, and medium-density residential for the Randall Park area of small apartment buildings. The residents of the mobile home park strongly expressed their preference for and satisfaction with this housing alternative. Redevelopment of this property in the near future seems unlikely and the present zoning will be retained.

However, policies to allow future development projects, are included in the Plan for both the trailer park site and the large lots at Bert's Drive and Main Avenue. In order to retain the character of the area and protect the interest of the City in regard to service capacities, the Plan recommends a future land use

designation of low-density residential for these sites, with contract provisions that would allow for a variety of residential development projects. Provisions are included to protect the treed area along Main Avenue west of Bert's Drive and to provide expansion of and better access to Glenforest Park, should redevelopment occur.

There are two other relatively large sites presently undeveloped. Council approved a contract for a 4 storey 39 unit apartment building at 59 Main Avenue in March, 1979 (Case No. 3603). Staff did not recommend this project at that time because of its high density and surface water drainage problems. Clauses to deal with the latter were included in the contract, but the developer has not yet signed the contract, nor initiated any construction on the site. Improvements to the project are presently under consideration. If the owner of the property does not confirm his rights to a contract prior to the adoption of this Plan, the overall medium-density land use designation will apply. It is proposed however, to give effect to Council's intention by allowing the construction of one or more small apartment buidings on this relatively large lot, through the medium (fourth) density zoning.

The second site is part of the Shell property north of Vimy Avenue and west of the Centennial Arena, presently zoned industrial. A subdivision application for this large site, which falls mainly into the Bedford Highway Detailed Area Plan, has been received by the City. The developer proposes a cul-de-sac with large lots for high-density development, with access from Vimy Avenue only. The site is not restricted by the same sewer service limitations as the rest of Fairview, (services could be installed to/from the Bedford Highway). The Plan designation for the portion of the site fronting on Vimy Avenue is medium-density residential, with a recommendation to the Bedford Highway Detailed Area Plan that the possible impacts on Vimy Avenue and Dutch Village Road be considered in assessing the municipal service capacities and appropriate development potential for the rest of the Shell property.

Deal - Percy Street Area: Behind the commercial establishments along Dutch village Road and Joseph Howe Drive lies the oldest residential area in Fairview. The road and some of the buildings are in poor repair, particularly Andrew Street. The NSPC transformer station, Harris and Roome Limited, Mills Heavy Hauling and a few other commercial and higher-density residential uses present a distinct contrast to the single-family homes that predominate in the area. Residents found the commercial uses acceptable, except for the heavy truck traffic they generate on Percy Street, and the dust from cleaning processes being carried on at Mills Heavy Hauling. Special provisions to deal with these problems, to the extent that this is possible through land use controls, are included in the Plan.

The convenience of the Deal - Percy Street location and the proximity to commercial uses and transportation along Dutch Village Road, however, make this an attractive area for more intensive residential use. Again, present City sewer services in the area limit redevelopment potential. Also, lot frontages average 40 feet, which would under proposed bylaws limit residential development to two units per building. Lot consolidation and improved City services would be required prior to larger redevelopment projects. The Plan proposes to designate this area for medium-density residential to maintain some flexibility for as-of-right development, while allowing a limited variety of choices for redevelopment in the long term as well.

Similar considerations apply to the eastern ends of Dutch Village Road and Main Avenue, and McFatridge Road.

Dutch Village Road Commercial Area:

South of Bayers Road, and east of Deal, Dutch Village Road is predominantly residential. In accordance with Municipal Development Plan Policy 2.3 the Plan recommends that the Dutch Village Road Commercial area be limited to the area between Bayers Road (including all four street corners), to the Capital Store at Alma and to the corner of Deal Street. Because of its extent and the variety and size of the businesses, it is recommended in accordance with Municipal Development Plan Policies 2.1.2 and 2.5, that the area be designated as a Minor-Commercial type centre.

Both the residents of the Fairview area and the Dutch Village Road businessmen seem to be in agreement regading the general character of the Dutch Village Road Commercial area. The businessmen expressed no wish to intrude into the residential neighbourhoods, but they did want to retain zoning that would permit commercial growth and redevelopment. Both wished to improve the environment and safety, and enhance the "village atmosphere" of Dutch Village Road.

The residents found all the businesses including the auto body repair shops and convenience restaurants acceptable and compatible with the surrounding environment. They saw no need to differentiate between standard (sit-down) and convenience (fast-food) restaurants in the minor-commercial zone, as convenience restaurants are prevalent and popular here and elsewhere on the Mainland. However, the location of commercial uses at the corner of Titus Street and Main and over to Evans Avenue, particularly the small take-out restaurants were cited as less desirable and a source of litter in the residential environment by some residents. The two existing motor vehicle repair shops on Dutch Village Road are included in the provisions for redevelopment of major commercial uses to allow these non conforming uses some flexibility for redevelopment, or reconstruction in case of fire.

The Commercial area serves both the immediately adjacent neighbourhoods and a car-oriented clientele from other nieghbourhoods in Mainland North. Twenty thousand potential customers drive down Dutch Village Road every day, and adequate parking is seen as an important factor in the success of the Commercial area. Parking is generally more important in low-density areas where individual stores must compete with shopping centres for customers. The Mainland Zoning Bylaw presently has provisions for commercial parking requirements, and this Plan makes more explicit zoning requirements and applies them to both sides of Dutch Village Road (the east side is presently governed by the Peninsula Zoning Bylaw).

Although many of the lots along Dutch Village Road are presently underdeveloped, they are also relatively small and there is limited space available for parking. To allow for the provision of additional parking as well as future growth and redevelopment, the Plan includes a policy to enable rezoning some properties abutting the rear of commercially zoned properties fronting on Dutch Village Road. Through lot consolidation an adequate lot size for some commercial redevelopment may be achieved, or the additional lots may be rezoned simply to be used as parking lots. Less than 20 residential lots could eventually be affected* by these provisions, and intrusion into residential environments should be minimal, yet this could provide a potential 300 to 400 additional parking spaces, (a 70 percent increase over existing spaces). The Zoning Bylaw will include provisions to limit commercial access from side streets and to provide adequate setbacks and fencing or landscaping to buffer residential uses adjacent to the Minor Commercial zone.

Commercial uses on Titus Street are zoned Local Commercial (within an area designated Residential), to serve the basic needs of the surrounding medium-density residential area. The lots, buildings and enterprises here are of a relatively small scale. It is proposed that the types of businesses be limited to retail and service stores such as banks, hairdressers, dry cleaners and small offices. The Local Business Zone recommended will make the restaurant uses non-conforming, but these businesses may of course remain as they are, or convert to a variety of other retail or service stores more appropriate to the residential area, thus retaining the commercial value of their properties.

Joseph Howe Drive: The Canadian National railway line constitutes both a barrier and a buffer zone between Joseph Howe Drive (a Principle Street) and the Planning area. There are four large properties that have direct access across the tracks to Joseph Howe Drive. Burger King, the convenience restaurant between the St. John's and St. Lawrence churches, and Murphy's warehouse-office building are designated minor-commercial, as is the garage-vehicle repair shop near the corner of Dutch Village Road. The Harris and Roome warehouse, although it has one access point to Joseph Howe Drive, largely fronts on Percy Street, (as does Mills Heavy Hauling), thus it is designated residential.

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* In effect, the width of the area designated minor commercial along the west side of Dutch Village Road should thus be interpreted as approximately 60 metres from the centre line of the street.

The intention of these designations is to protect the adjacent residential areas from further development of intensive major commercial uses. The warehouse uses become non-conforming with the recommended designations and zoning, but provisions are proposed to allow them to redevelop in a manner more compatible with the surrounding area. In this way viable economic use may be made of the properties in question, while Council acquires a measure of control over major commercial uses in a mixed environment.

## Transportation and Roads

Dutch Village Road: The City's plans to improve and widen Dutch Village Road were deferred in the Capital Budget to 1984 after residents expressed concern at Detailed Area Planning meetings about the local impact of this project.

The main concerns of residents were:

1) Road widening will attract more through traffic;
2) Traffic speeds will increase;
3) It will be more dangerous for pedestrians to cross a wider road with faster traffic (there are many High School students and older citizens in the area);
4) Turns into local streets will be more difficult for the residents when there are more traffic lanes to cross;
5) Merchants will lose businesses if traffic can go by faster and when present parking opportunities in front of stores are reduced by curbs and sidewalks;
6) Merchants and residents alike feared that widening of the roadbed would destroy the village atmosphere of the commercial area;
7) Alternative routings for through traffic (e.g. Dunbrack Street and Joseph Howe Drive) are available but are not being used.
8) The major road reconstruction proposed is an unnecessary expense - minor improvements, including resurfacing and sidewalks would suffice.

The delay provided an opportunity for both the residents and businessmen and the City to review the project and formulate recommendations regarding detailed design. A Transportation Sub-committee of 10 residents was formed and held several meetings with the Planning and Engineering & Works Departments' staff to study the road improvement project and traffic problems in the area. City staff emphasized that the proposed widening would improve traffic flow and safety, and that traffic volumes were not expected to increase significantly. However, Subcommittee members remained opposed to the project on the basis that any increase in the number of

traffic lanes would generate more and faster traffic, benefitting through traffic from areas to the north, while increasing problems locally. The Subcommittee with the technical assistance of the Planning Department, composed recommendations to deal with the problems they perceived, and also drew up an alternative concept plan for the road improvements, both of which have been duly considered by staff. The Engineering and Works Department conducted an Origin-Destination Study on Dutch Village Road west of Bayers Road, June 22, 1983, and found that 2/3 of the traffic originated in, or was destined for, the Fairview area. Staff continues to keep the Transportation Subcommittee members informed of the status of their review of the Dutch Village Road improvement project.

A Detailed Area Plan must consider the needs of the rest of the City, particularly those of nearby neighbourhoods which may be affected by planning policies in the area. Dutch Village Road, like Lacewood Drive, is a Collector roadway, generally defined as "a street which functions to provide both land access and mobility and accommodate vehicular traffic from local streets to the major system of arterial streets and highways .... Collector streets have a characteristic right-of-way width of 66-80 feet and traffic design volume range of 12,000-20,000 vehicles per day." MDP policies require that the City should minimize inefficient energy consumption and minimize disruption of residential neighbourhoods by through traffic, by providing an adequate Collector street.

Dutch Village Road has for the last few years been carrying traffic volumes of 16 - 22,000 vehicles per day, considerably more than its design capacity or that of the average collector street. It also carries public transit services for Fairview, regular bus route number 4 at 20 minute intervals and 6 express buses during rush hours. Although some through traffic could be diverted to Joseph Howe Drive and the new Dunbrack Street, and this Plan recommends that measures be taken to encourage this, the need to improve Dutch Village Road to at least the engineering standards for a Collector street (i.e. a minimum 66 ft. road bed) will remain. The Plan thus recommends that improvements be undertaken, to improve access, mobility and safety. Measures to mitigate negative impacts and incorporate some amenities to benefit the commercial environment should be considered. Additional recommendations/requirements regarding design details could be made to Council based on further Staff discussions with the community.

Main Avenue: The road pattern south of Main Avenue and west of Dutch Village Road is laid out in a regular grid. This allows through traffic on any local street, but Main Avenue is the only one that continues west past Dunbrack Street. Its role as a local collector street for the Fairview area may require road improvements in the future. Residents were opposed to any widening of Main Avenue and expressed similar concerns to those cited above regarding Dutch Village Road, in particular that Main Avenue should not be required to carry additional traffic destined west of Dunbrack Street when this area is developed in the future." Suitable traffic controls to slow traffic and ensure pedestrian safety along Main Avenue should be implemented. Design features or traffic controls to discourage through traffic should be incorporated in any road improvement of Main Avenue in the future.

Local Streets. Residents of the Fairview Planning Area complained of through traffic on local streets, particularly Percy and Deal Streets, Evans Avenue, and Main Avenue. Percy and Deal Streets are occassionally used as an alternate route to avoid Dutch Village Road when it is congested. Trucks destined to Mills Heavy Hauling and Harris and Roome on Percy Street also present a problem for the residents. The poor condition of Percy - Andrew and Deal Streets suggest that road improvements in this area may be timely. It is recommended that design elements including perhaps the closing of Andrew Street, and/or traffic controls to discourage through traffic be considered in any road improvements to be undertaken in this area. Evans Avenue is used as a short loop by the Number 4 bus in the evenings. It is also used by private vehicles from Clayton Park as a short cut to Dutch Village Road. The rush-hour through traffic use through this single-family residential area should be discouraged by suitable traffic controls, while allowing the existing bus use.

Pedestrian Route: There is a frequently used pedestrian shortcut from Dutch Village Road to Joseph Howe Drive and the Bayers Road Shopping Centre. This path goes down the slope at the south end of Percy Street, along the edge of the Murphy Warehouse property (3514 Joseph Howe Drive) and across the CNR tracks. The owners of the Murphy property have installed a fence with an opening along their Percy Street boundary with some steps (which have since slipped down the slope). The pedestrian traffic has already warranted City installation of a pedestrian cross-walk across Joseph Howe Drive to Scott Street. As this route is of considerable convenience for local residents, the City should endeavour to ensure that it is safe and permanent, and undertake any reasonable expense to do so, including negotiation of an easement or purchase of land.

## CROSS-REFERENCE FOR IDENTIFICATION OF ZONES PROPOSED IN FAIRVIEW DETAILED AREA PLAN

NOTE: The table below shows the corresponding zone numbers from the Peninsula and Mainland Section of the City of Halifax Zoning Bylaw. When the proposed Fairview Plan and Zoning Bylaw amendments are adopted, the numbering system in use in the City Zoning Bylaw at that time will be applied.

| FAIRVIEW D.A.P. | PENINSULA ZONING BYLAW | MAINLAND ZONING BYLAW |
|---|---|---|
| Residential | Residential | Residential |
| R-1 First Density | R-1 Single-Family Zone | |
| R-2 Second Density | | R-2 Two-Family Dwelling Zone |
| R-3 Third Density | R-2 General Residential | |
| R-4 Fourth Density | R-2A General Residential (South End) | |
| Commercial | Commercial | Commercial |
| RC-1 Neighbourhood Commercial | RC-1 Neighbourhood Commercial | |
| C-1 Local Commercial | C-1 Local Business | |
| C-2 Minor Commercial | C-2 Minor Commercial | C-2A Minor Commercial |

## PART V: PROPOSED ZONING BYLAW AMENDMENTS

### INTRODUCTION

The City of Halifax presently has two Zoning Bylaws: the Peninsula Area Zoning Bylaw applies in Fairview to areas east of Dutch Village Road, and the Mainland Zoning Bylaw applies in the rest of the detailed planning area. New zones have been developed for other detailed area plans and adopted as amendments to the Peninsula Zoning Bylaw. The zones recommended in this Plan have been adapted mainly from the Peninsula Zoning Bylaw but will apply to the entire Fairview D.A.P. area. The policies in Part II of this Plan calling for amendments to the Zoning Bylaw, generally refer to the Mainland Zoning Bylaw to implement this.

For all residential zones, setback requirements have been adjusted. The specifications for the fourth density General Residential Zone (R-2A South End) have been changed substantially to adapt this zone for infill development in the Fairview area.

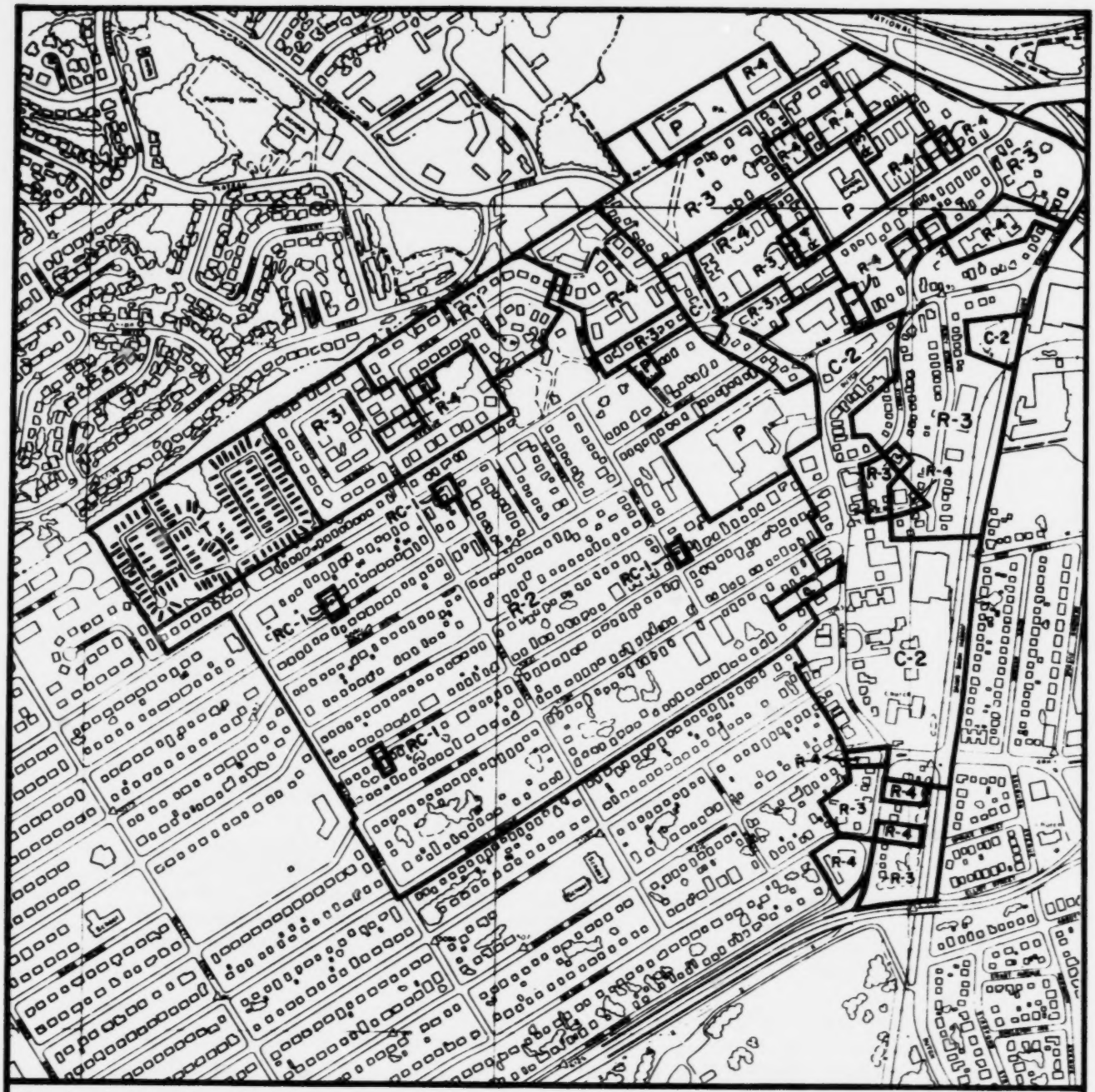
Specific parking requirements have been added directly to the Minor Commercial zone to elaborate the general Mainland area commercial parking requirements. Access, sideyard and storage specifications have also been added.

This section gives:

1) a synopsis of the zoning categories and requirements recommended, as shown on Map 3; and

2) amendments specifying provisions to carry out the intent of the Plan for non-conforming uses and development of particular properties by contract, in accordance with the provisions of the Nova Scotia Planning Act, with the subject sites identified on Map 4 and in Schedules A, B, and C.

This section is intended to provide the reader with a general idea of the changes which would take place in existing zoning regulations if the proposed Plan were adopted.




Fairview Detailed Area Plan

Map 3

## Proposed Zoning

| | | | |
|---|---|---|---|
| R-1 | First density residential | RC-1 | Neighbourhood commercial |
| R-2 | Second density residential | C-1 | Local commercial |
| R-3 | Third density residential | C-2 | Minor commercial |
| R-4 | Fourth density residential | T | Mobile home park |
| | | P | Park and Institutional |

Feet

0 500

Planning Department
City of Halifax

## SYNOPSIS OF ZONES

### First Density Residential

Uses permitted:
- detached single dwelling
- a home occupation or office of a professional in his home
- a church
- the keeping of not more than 3 boarders or lodgers
- a day nursery or special care home

### Second Density Residential

Uses permitted:
- all R-1 Zone uses
- a semi-detached or duplex dwelling
- a basement apartment in a detached house

### Third Density Residential

Uses Permitted:
- all R-1 and R-2 Zone uses
- buildings containing not more than four apartments

Requirements: (See Table)

For the conversion of houses built prior to May 1950 into duplex dwellings, minimum lot size requirements are reduced to 3,300 square feet (5 habitable rooms per dwelling) and 4,000 square feet (8 habitable rooms per dwelling).

One separately accessible parking space per dwelling.

### Fourth Density Residential

Uses Permitted:
- all R-1, R-2 and R-3 Zone uses
- attached or stacked-attached townhouses
- infill buildings on individual lots or additions to or conversions of existing buildings to a maximum of 14 units per building
- in any building, the office of a professional

Requirements: (See Table)

Frontage, lot area and side yard requirements for R-2 and R-3 uses in an R-4 zone are reduced by 10 feet, 1,000 square feet, and 5 percent respectively (semi-detached dwellings, 5 feet and 500 square feet each).

### Mobile Home Park (T Zone)

Uses/Requirements: - see City of Halifax Mobile Home Park Bylaw

TABLE 1: TABULAR SUMMARY OF SITE REGULATIONS - FAIRVIEW DETAILED AREA PLAN

RESIDENTIAL

| ZONE | BUILDING TYPE/USE | MINIMUM LOT SIZE FRONTAGE | MINIMUM LOT SIZE AREA | MAXIMUM BUILDING SIZE HEIGHT | MAXIMUM BUILDING SIZE LOT COVERAGE | SETBACK REQUIREMENTS FRONT | SETBACK REQUIREMENTS REAR | SETBACK REQUIREMENTS SIDE |
|---|---|---|---|---|---|---|---|---|
| R-1 | Single-Family (new) | 40 ft. | 4000 sq. ft. | 35 ft. | 35% (of lot area) | 15 ft. | 20 ft. | 15% of lot width |
| | Existing Lots | 30 ft. | 3000 sq. ft. | 35 ft. | 35% | 15 ft. | 20 ft. | max. 8' |
| | Day Nursery | 60 ft. | 6000 sq. ft. | 35 ft. | 35% | 15 ft. | 20 ft. | 8 feet |
| R-2 | Semi-Detached | 30 ft. | 3000 sq. ft. | 35 ft. | 35% | 15 ft. | 20 ft. | 8 feet (each end) |
| | Duplex | 50 ft. | 5000 sq. ft. | 35 ft. | 35% | 15 ft. | 20 ft. | 8 feet |
| R-3 | 3 or 4 Units | 60 ft. | 6000 sq. ft. | 35 ft. | 35% | 15 ft. | 20 ft. | 8 feet |
| R-4 | 5-14 Apartments | 75 ft. | 7500 sq. ft. | 35 ft. | 50% | in line with adjoining buildings | 20 ft. | 10 feet |
| | Townhouse | 75 ft. | 1800 sq. ft. | 35 ft. | 50% | | | 10 feet (each end) |

COMMERCIAL

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| RC-1 | Grocery/Drug Store | 40 ft. | 4000 sq. ft. | 35 ft. | 1000 sq. ft. commercial area | in line with adjoining buildings | | 6-8 feet |
| C-1 | Local Commercial | 40 ft. | 4000 sq. ft. | 35 ft. | 35% | | | 6-8 feet adjoining a residential zone |
| C-2 | Minor Commercial | | | 35 ft. | 50% | | | 8-15 ft. adjoining a residential zone |
| | (N.B. see parking requirements) | | | | | | | |

PARK & INSTITUTIONAL

| | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| P | Buildings | | | angle controls | | 20 ft. | | 10 ft. |

Residential Setback Requirements: (See Table)

With the intention of consolidating the Mainland and Peninsula Zoning Bylaw requirements fo rthe Fairview area, setbacks have been established as follows:

Front Yard: As a general rule, infill building should be in line with adjoining buildings. The Peninsula standard of 15 feet minimum is adopted in consideration of the fact that many existing houses do not meet the Mainland Zoning Bylaw requirement of 20 feet.

Rear Yard: The Peninsula standard of 20 feet minimum rear yard is adopted as most building already meet this standard. (Mainland requirement was only 8 feet).

Side Yard: The Peninsula standard of 10 percent of the width of the property is considered inadequate for the Fairview area, whereas the Mainland standard of 8 feet is onerous for smaller properties. For lots less than 50 feet wide, a 15 percent sideyard is therefore specified. Further adjustment of all sideyards is allowed by the transfer of 25 percent of the required setback from one side to the other (e.g. for a 50 foot lot, one 6 foor sideyard and one 10 foot sideyard instead of two 8 foot sideyards) to provide for adequate width for a driveway without affecting building width.

Neighbourhood Commercial

Uses Permitted:
- R-1, R-2 and R-3 uses
- a grocery store or a drug store, maximum gross commercial floor area 1,000 square feet

Requirements: (See Table)

One identification sign board not exceeding 3 feet in height may be placed above the ground floor store windows.

Local Commercial:

Uses Permitted:
- All Residential uses
- retail stores
- bank, community hall, office, municipal building, hairdresser, beauty parlor, receiving office of a drycleaner.

Requirements: (See Table)

Commercial buildings with fireproof side walls may be exempt from the side building line requirements, if not abutting a residential zone. One identification sign board as in RC-1 Zone.

Minor Commercial

Uses Permitted:
- All residential and C-1 Uses
- retail stores (except motor vehicle dealers or repair shops which are not primarily service stations)
- radio, television and electrical appliance repair shops
- personal service stores including small repairs, barber and beauty shops, dry cleaners, self-service laundries, and funeral services
- bowling alley
- movie theatre
- service station
- offices
- bank and other financial institutions
- restaurant
- community facilities
- billboards

Requirements: (See Table)

Access -
- Main pedestrian entrances (storefronts) are permitted from Dutch Village Road, Titus Street and Alma Crescent only.
- Vehicular access to commercial businesses and parking areas is permitted from Dutch Village Road, Titus Street and Alma Cresecent or from side streets a minimum distance of 12 metres from the abutting residential zone.

Setbacks -
- Adjacent to residential zones, open space in the form of 15 feet rear and sideyard is required. The requirement may be reduced to 1/2 the height of the proposed building and used for parking where screening in the form of a solid fence or vegetative hedging is provided.

Parking requirements -
- For the first 2,000 square feet gross leasable commercial space: 3 spaces/1,000 square feet GLA
- For additional office space: 3 spaces per 1,000 square feet GLA
- For additional retail/service store space: 4 spaces per 1,000 square feet GLA
- For additional restaurant space: 8 spaces per 1,000 square feet GLA

Storage -
- Outdoor storage of goods or equipment shall be limited to 20% of the lot area and shall be fenced or covered to ensure containment on the designated site.

Park and Institutional

Uses Permitted:
- a cemetery
- a public park, recreation field, sports club, or similar community purpose
- a hospital, school, church, library, museum or other similar public or private institution

Requirements: (See Table).

Setback and height controls will be the same as for the High-Density Residential zone. The height of the building may not project beyond angular planes set 60 degrees above the horizontal.

Fairview Detailed Area Plan

Map 4

# Additional Provisions Proposed - Land Use Bylaw

Lands subject to Sections 55, 57 and 87 of the Planning Act

* per Policy 1.4 (and Schedule A)

per Policy 1.5 (and Schedule B)

per Policy 2.3 (and Schedule C)

Feet

0 500

Planning Department
City of Halifax

## SCHEDULE A

The following buildings, if destroyed or damaged up to 100% by fire or otherwise may be rebuilt, repaired or reoccupied to the same size and/or density as before the destruction, or some lesser dimension, if used as residential apartments, provided that the angle controls, parking and open space requirements of the High-Density Zone are met.

| Civic Number | Number of Units |
|---|---|
| 11 Alma | 18 |
| 7169 Andrew | 25 |
| 15 Borden | 21 |
| 27 Convoy | 8 |
| 16 Dawn | 27 |
| 20 Dawn | 41 |
| 15 Dawn | 40 |
| 3315 Dutch Village Road | 27 |
| 3343 Dutch Village Road | 24 |
| 3670 Dutch Village Road | 68 |
| 3824 Dutch Village Road | 25 |
| 18 Evans | 20 |
| 27 Evans | 39 |
| 35 Evans | 50 |
| 6 Ford | 43 |
| 21 Ford | 40 |
| 28 Frederick | 30 |
| 36 Frederick | 25 |
| 63 Main Avenue | 30 |
| 111 Main Avenue | 13 |
| 171 Main Avenue | 11 |
| 176 Main Avenue | 19 |
| 17 McFatridge | 47 |
| 9 Rufus | 16 |
| 43 Rufus | 9 |
| 80 Rufus | 10 |
| 81 Rufus | 15 |
| 84 Rufus | 11 |
| 15 Skeena | 12 |
| 25 Vimy | 30 |

## SCHEDULE B

Any properties larger than one acre are eligible for medium-density residential development by contract agreement with Council, in accordance with Policy 1.5. Properties to which this bylaw applies include:

(1) Trailer Park at Homeward Avenue north of Main Avenue;

(2) Lots AB-1 and AB-2 on Main Avenue at Berts Drive.

## SCHEDULE C

The following commercial properties made non-conforming by the Fairview Detailed Area Plan, are eligible for development by contract agreement with Council, in accordance with Policy 2.3 and the conditions stated below:

A. Rebuilding in case of destruction or building improvements which may include enlargement up to 20% of the size of the building on the date of adoption of the Fariview Plan:

(i) The auto body shop known as civic number 3567 Dutch Village Road (Cochrane's Garage);

(ii) The auto body shop known as civic number 3580 Deal Street (Robichaud's Collision).

B. Rebuilding in case of destruction or a change of use to one more compatible with the GFLUM designation including alterations to the building to accommodate such change in use:

(i) The motel at Melrose Avenue and Dutch Village Road known as civic number 4 Melrose Avenue;

(ii) The bowling alley on Coronation Avenue known as civic number 35 Coronation Avenue;

(iii) The wholesale/retail warehouse building at civic number 3514 Joseph Howe Drive known as Murphy's Warehouse;

(iv) The wholesale/retail warehouse building at civic number 3600 Joseph Howe Drive (Harris and Roome);

(v) The service/storage warehouse building at civic number 3587 Percy Street (Mills Heavy Hauling).

POOR

QUALITY

ORIGINAL